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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
DAVID ARTHUR NILSEN, )  
 )  
Defendant. )  
\_\_\_\_\_ )  
 )

No. CR 09-00895 EJD

STIPULATION AND ~~PROPOSED~~ ORDER  
CONTINUING HEARING DATE

This case is set for a dispositional hearing on October 11, 2011, and a pre-trial conference on October 24, 2011. The parties have reached a plea agreement in principle and are working out the details. The parties anticipated having the details worked-out by October 11, 2011. Because of the complexity of the case the parties need a few more weeks to work out these details.

Accordingly the parties request that the Court vacate the October 11, 2011, hearing and set October 24, 2011 for a change of plea. The parties also stipulate that failure to grant this continuance would deny the parties reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The parties request that the period from October 11,

Stip & Proposed Continuing Hearing Date  
CR 09-00895 EJD

2011, and October 24, 2011,, be excluded in computing the time within which the trial must commence, pursuant to U.S.C. § 3161(h)(7)(B)(iv).

SO STIPULATED

Dated: Oct. 6, 2011

MELINDA HAAG  
United States Attorney

S/  
JONATHAN SCHMIDT  
Assistant United States Attorney

Dated Oct. 6, 2011

S/  
LEO PATRICK CUNNINGHAM  
Attorney for Defendant

~~Proposed~~ ORDER

GOOD CAUSE APPEARING, and per the parties' stipulation, the October 11, 2011, hearing is vacated and the October 24, 2011, hearing date is set for a change of pleas. The period from October 11, 2011 and October 24, 2011 be excluded in computing the time within which an the trial must commence, pursuant to U.S.C. § 3161(h)(7)(B)(iv).

IT IS SO ORDERED

Dated: October 7, 2011

  
EDWARD J. DAVILA  
United States District Judge